



Control Number: 51812



Item Number: 217

Addendum StartPage: 0



YOUNG ENERGY, LLC D/B/A PAYLESS POWER

Mailing Address: PO Box 470487 / Fort Worth, TX 76147

Physical Address: 7524 Mosier View Ct, Ste 100 / Fort Worth, TX 76118

Contact TN: 817-371-9414 Fax: 817-887-1738

Via Email Transmittal and Interchange Filing in Project 51812

Hon. Peter Lake, Chairman
Hon. Will McAdams, Commissioner
Public Utility Commission of Texas
1701 N. Congress Avenue, 7th Floor
Austin, TX 78711

RE: Request to Clarify Second Order Terminating Expectations to Certain Rules and Extending Payment Plans
("DNP") Moratorium
PUC Docket No. 51812

Dear Chairman Lake and Commissioner McAdams:

As you know, my letter of May 26, 2021, asked the Commissioners to return the Texas electricity market to normal disconnection rules. I very much appreciated the open, deliberative process you conducted which led to the June 15, 2021, Second Order Terminating Exceptions to Certain Rules and Extending Payment Plans (hereafter "Second Order") that ended the moratorium on disconnections. In particular, we valued the discussion surrounding deferred payment plans and the many other agencies that may assist our prepaid customers in securing electricity for their homes.

The prepaid providers need some clarity regarding the Second Order inasmuch as a "return to normal" in the Texas prepaid realm would allow for disconnection orders to be sent to the TDUs for processing starting on June 21. You may be aware that disconnections of prepaid service are covered by PUC SUBST. R. §25.498(j) whereas non-prepaid service is covered by PUC SUBST. R. §25.483 which includes a 10-day notice requirement that is not found in PUC SUBST. R. §25.498.

Prepaid service adheres to a different set of rules regarding many things, including service disconnections. PUC SUBST. R. §25.498 recognizes the unique nature of prepaid service and the technology which underlies its fulfillment to customers, and it specifically excludes sub-sections (c) and (l) of PUC SUBST. R. §25.483 which concern disconnection notices.¹ Instead, the Prepaid Service Rule (PUC SUBST. R. §25.498) contains three separate provisions relating to the "little notice" that is to be provided to prepaid customers.²

¹ PUC SUBST. R. §25.498(a)(3).

² PUC SUBST. R. §25.498 provides: (d) Customer acknowledgement. As part of the enrollment process, a REP shall obtain the applicant's or customer's acknowledgement of the following statement: "The continuation of electric service depends on your prepaying for service on a timely basis and if your balance falls below {insert dollar amount of disconnection balance}, your service may be disconnected with **little notice**. Some electric assistance agencies may not provide assistance to customers that use prepaid service."

We ask that the Commissioners clarify whether prepaid providers should begin to perform disconnection routines according to PUC SUBST. R. §25.498, which would mean the earliest we could disconnect a customer would be June 21, or whether we should wait the extra seven days to maintain fidelity to PUC SUBST. R. §25.483 that don't normally apply to prepaid service.

Payless Power is seeking certainty so that communications with customers can be accurate while simultaneously working with our Customers on deferred payment plans, assistance grants, pledges and debt forgiveness. The requested clarity from you or your Executive Director would be much appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Young', with a long horizontal flourish extending to the right.

Brandon Young, CEO

cc: Mr. Thomas Gleeson, Executive Director (via email)
Ms. Connie Corona, Director of Competitive Markets (via email)

Sub-section (e)(1) of the same rule requires pre-paid REPs to give Customers a pre-paid disclosure statement containing the following statement: "The continuation of electric service depends on you prepaying for service on a timely basis and if your current balance falls below the disconnection balance, your service may be disconnected with **little notice**." And sub-section (i)(7) directs: "the REP shall not initiate disconnection of service unless it has provided the customer at least **one day's notice** that the customer has not met the terms of the plan or, pursuant to subsection (c)(7)(D) of this section, a timely notice that the customer's current balance was estimated to fall below the disconnection balance, excluding the remaining deferred amount."